

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WESTERN FLEMING COUNTY WATER DISTRICT

ALLEGED VIOLATIONS OF COMMISSION
REGULATIONS 807 KAR 5:006 AND
807 KAR 5:066

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) CASE NO. 93-173
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O R D E R

On October 26, 1993, the Commission adopted and approved a Settlement Agreement between Western Fleming County Water District ("Western Fleming") and Commission Staff resolving all issues in this matter. Pursuant to this Agreement, a penalty of \$1500 was assessed against Western Fleming, but suspended for one year. If, at the end of that period, Western Fleming had fully complied with the Agreement, the penalty would be vacated. Failure to comply with the Agreement, however, would terminate the suspension and cause the penalty to become immediately due and payable.

On November 23, 1993, Commission Staff conducted an inspection of Western Fleming's facilities and records. The report of this inspection, which was filed with the Commission on January 28, 1994, indicates that Western Fleming has failed to comply fully with the Agreement.

Having reviewed the Inspection Report and being otherwise sufficiently advised, the Commission finds that Western Fleming has failed to comply with Paragraphs 1f, 1h, 1i, and 1m of the

Settlement Agreement and that, as a result of this failure, the assessment of the penalty of \$1500 should become effective immediately.

IT IS THEREFORE ORDERED that:


1. Effective immediately, Western Fleming is assessed a penalty of \$1500 for its willful violation of Commission regulations.

2. Western Fleming shall pay the assessed penalty within 20 days of the date of this Order. Payment shall be made by certified check or money order made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to Office of General Counsel, Public Service Commission of Kentucky, 730 Schenkel Lane, P. O. Box 615, Frankfort, Kentucky 40602.

3. Any application for rehearing of this Order shall be submitted within 20 days of the date of this Order and shall respond to each finding contained in the Commission Staff Utility Reinspection Report of December 3, 1993.

Done at Frankfort, Kentucky, this 31st day of January, 1994.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner